

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zvi Yaniv Art Unit : 1762
Serial No. : 10/633,335 Examiner : Elena Tsoy
Filed : August 1, 2003 Conf. No. : 4189
Title : REMOTE IDENTIFICATION OF EXPLOSIVES AND OTHER HARMFUL MATERIALS

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

In the Examiner's Answer, dated June 6, 2007, with respect to the § 102 rejection, the Examiner has asserted that the *Hubby* and *Ouellet* references have been cited in support of the assertion that physisorption is inherently disclosed in the primary reference. However, regardless of whether or not such physisorption is described in the *Hubby* and *Ouellet* references, citing them as the Examiner has done, does not in any way prove that such physisorption necessarily flows from the teachings of the primary reference. The Examiner has still not met the burden of showing how physisorption is inherent within the primary reference. MPEP § 2112. With respect to the remainder of the Examiner's responses in the Examiner's Answer, Applicants consider that such responses do not overcome Applicants' arguments in the Appeal Brief.

Please apply any necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: July 5, 2007

Kelly K. Kordzik
Reg. No. 36,571

Fish & Richardson P.C.
One Congress Plaza, Suite 810
111 Congress Avenue
Austin, TX 78701
Telephone: (512) 226-8148
Facsimile: (512) 320-8935
1/022718.dwg